

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: :
: Chapter 7
Judith L. Gatto v. U.S. Department of :
Education : Bankruptcy No. 17-14936-amc
et al. : Adversary No. 19-00117-amc
Debtor(s) :
: In Re: Judith L. Gatto, :
: Plaintiff, :
v. :
: U.S. Department of Education. :
: Defendant. :

MOTION FOR LEAVE TO WITHDRAW AS COUNSEL FOR DEBTOR

Pursuant to Local Rule 2091-1, Vlad Kachka, Esquire, seeks leave from the Court to withdraw as counsel for Debtor Judith L. Gatto in the above-captioned matter. In support, the undersigned attorney states as follows:

1. The Debtor initiated this adversary proceeding by filing a complaint on May 28, 2019.
2. The Debtor seeks to discharge her student loans pursuant to 11 U.S.C. § 523(a)(8).
3. The Debtor received free legal services as a member of AFSCME District Council 33 through the Union's legal services plan ("the Plan").
4. The undersigned attorney's law firm, Spear Wilderman, P.C., previously was the legal services provider for the Plan.
5. However, the undersigned attorney's law firm no longer serves at the Plan's legal services provider.

6. The undersigned attorney's law firm informed the Debtor that Spear Wilderman, P.C. is no longer the Plan's provider.
7. The undersigned attorney's office has attempted for several months without success to contact the Debtor to discuss her case and whether she needs to continue to pursue the above-captioned case or if she can achieve her goals through other means, such as having her student loans discharged through Public Service Loan Forgiveness or having the Department of Education assess her monthly payments as zero through an income-driven repayment plan.
8. The undersigned attorney has asked the Debtor multiple times to contact him via emails, voicemails, letters sent by First-Class Mail, and a letter sent by Certified Mail.
9. The undersigned attorney's office notified the Debtor that, if it does not hear from the Debtor, it would assume she no longer needs assistance, and her file would be closed.
10. To date, despite numerous attempts, the Debtor has not responded to the undersigned attorney's requests to contact him.
11. As a result, the undersigned attorney is unable to represent the Debtor effectively.
12. The undersigned attorney requests leave from the Court to withdraw as counsel for the Debtor.

WHEREFORE, the undersigned attorney respectfully requests that the Court grant him leave to withdraw as counsel for the Debtor in this matter.

Respectfully submitted,

/s/ Vlad Kachka
VLAD KACHKA, ESQUIRE

DATED: February 21, 2023